

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

HELENA DANIELS,

Plaintiff,

V.

WAKE COUNTY,

Defendant.

CIVIL ACTION FILE NO.

JURY TRIAL DEMANDED

COMPLAINT

COMES NOW Plaintiff, Helena Daniels (“Plaintiff” or “Ms. Daniels”), by and through undersigned counsel, The Kirby G. Smith Law Firm, LLC, and hereby files this Complaint against Defendant Wake County (“Defendant” or “Wake County”), stating as follows:

I. JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 over Count I of this Complaint, which arises out of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000 et seq. (“Title VII”).
2. This Court has personal jurisdiction over the parties because a substantial portion of the employment practices described herein were committed within Wake County, North Carolina.
3. Plaintiff exhausted all administrative remedies in this matter.
4. Venue is proper in this Court pursuant to 28 U.S.C. § 1391.

II. PARTIES

5. Plaintiff is a citizen of the United States and a resident of Wake County, North Carolina.
6. Defendant is a local unit of government in North Carolina.
7. Defendant may be served by delivering a copy of the Complaint and Summons to the

County Manager, David Ellis, located at 301 S McDowell St, 4th Floor, Raleigh, NC 27601.

8. Defendant employed fifteen (15) employees or more at all times relevant to this lawsuit.
9. Defendant is subject to the requirements of Title VII.

III. FACTUAL ALLEGATIONS

10. On or around September 15, 2020, Defendant hired Plaintiff to work as a Contract Tracer (CT).

11. On or around January 6, 2021, Plaintiff was promoted to CT Team Lead.

12. Shortly after her promotion, several African-American CT's on Plaintiff's new team complained that Plaintiff's direct supervisors, Ms. Kristen Ledford and Ms. Rachael McCaully, had been giving preferential treatment to Ms. Karuna Belikoff, the team's only Caucasian CT.

13. Specifically, Ms. Ledford and Ms. McCaully allowed Ms. Belikoff to complete work after 5 pm, and they allowed Ms. Belikoff to work out of state.

14. Upon information and belief, African-American employees were not permitted to do either.

15. Ms. Ledford and Ms. McCaully are Caucasian.

16. Ms. Daniels is African-American.

17. On or around January 15, 2021, Ms. Daniels observed that her and another CT team lead, Ms. Robyn Walker, were assigned significantly more cases than the four (4) other team leads.

18. Ms. Walker is African-American.

19. The four (4) other team leads are either Caucasian or Hispanic.

20. Plaintiff asked Ms. Walker if she was aware they were being assigned the most cases, and she responded that Ms. Ledford and Ms. McCaully always assigned her more cases than other team leads.

21. On or around January 21, 2021, Ms. Daniels filed a complaint with Defendant's Human Resources (HR) department alleging that Ms. Ledford and Ms. McCaully harassed her and other African-American employees because of race.
22. That same day, she complained to Ms. Ledford's supervisor, Ms. Marlene Kurt, that she believed African-American employees were being treated differently.
23. Plaintiff made this complaint again to HR on or around January 26, 2021.
24. On January 27, 2021, Wake County Public Health terminated Ms. Daniels.

IV. CLAIMS FOR RELIEF

COUNT I: TITLE VII RETALIATION

25. Plaintiff incorporates by reference paragraphs 1-24 of her Complaint as if fully set forth herein.
26. Plaintiff engaged in protected activity under Title VII.
27. Plaintiff was subjected to the adverse action of termination.
28. The temporal proximity between Plaintiff's protected activity and her termination supports an inference of causation.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Honorable Court grant the following relief:

- a. Trial by jury;
- b. A finding that Defendant violated Plaintiff's rights as set forth herein;
- c. Full back pay plus interest, front pay, compensatory damages, punitive damages, reasonable attorney fees, and costs in accordance with Title VII; and
- d. Any other relief this Court deems proper and just.

Respectfully submitted this 28th day of March, 2022.

/s/Alexander C. Kelly

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JURY DEMAND

Plaintiff requests a jury trial on all questions of fact raised by this Complaint.

Respectfully submitted this 28th day of March, 2022.

/s/Alexander C. Kelly
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